

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

PUGET SOUND ELECTRICAL WORKERS
HEALTHCARE TRUST; PUGET SOUND
ELECTRICAL WORKERS PENSION TRUST;
PUGET SOUND ELECTRICAL WORKERS
401(k) SAVINGS PLAN TRUST; and PUGET
SOUND ELECTRICAL JOINT
APPRENTICESHIP AND TRAINING TRUST
FUND,,

Plaintiffs,

v.

UNDERGROUND POWER TECHNOLOGIES,
LLC, a Washington limited liability company
d/b/a UPTOWN ELECTRIC and d/b/a UPTECH
LLC,,

Defendant.

Case No. 2:20-cv-00427-MJP

ORDER ENTERING DEFAULT
JUDGMENT

This matter is before the Court on Plaintiffs' motion for entry of default judgment against Defendant Underground Power Technologies, LLC d/b/a Uptown Electric and d/b/a Uptech, LLC. The Court has reviewed Plaintiffs' motion and supporting papers, as well as the pleadings, files, and court records in this matter.

Being otherwise advised the Court ORDERS:

1. The Plaintiffs' motion is GRANTED;

2. The Plaintiffs are entitled as a matter of law to audit the payroll and related business records of Underground Power Technologies, LLC d/b/a Uptown Electric and d/b/a Uptech, LLC, as set forth in the applicable trust agreements to which Defendant is party and pursuant to *Central States, Southeast and Southwest Areas Pension Fund v. Central Transport, Inc.*, 472 U.S. 559, 105, S. Ct. 2833, 86 L. Ed. 2d 447 (1985).
3. Defendant Underground Power Technologies, LLC d/b/a Uptown Electric and d/b/a Uptech, LLC is ordered to promptly provide the following documents to Plaintiffs' counsel or their auditor:
 - a. SUI Reports for Washington State from Q3 2018 through Q3 2019 (July 1, 2018 through September 30, 2019);
 - b. Employee list for the same period, listing the job titles and positions of all employees listed on the SUI Reports;
 - c. Paycheck registers for Q3 2018 through Q3 2019 (July 1, 2018 through September 30, 2019); and
 - d. Project/work list for Q3 2018 through Q3 2019 (July 1, 2018 through September 30, 2019).
4. Plaintiffs are awarded reasonable attorney fees of \$5,390.00 and costs of \$524.00 pursuant to 29 U.S.C. §1132(g);
5. This Court retains jurisdiction to enforce any subsequent audit report should Plaintiffs find discrepancies with Defendant's reporting of fringe benefit contributions. Should Plaintiffs find such discrepancies, they shall promptly move to reopen the matter and amend their complaint; and
6. The Clerk of Court is directed to enter judgment consistent with this order.

Dated: July 15, 2020.



Marsha J. Pechman
United States Senior District Judge